

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.459 of 2021

Arulmighu Anbupriyal Samedha
Marudhavaneeswarar Temple,
Pudupettai Village and Post,
Tiruppathur Taluk and District,
Represented by its Hereditary Trustee,
S.Sathish Kumar ... Petitioner

Vs

1. The District Collector,
Vellore District, Vellore.
2. The District Collector,
Tiruppathur District, Tiruppathur.
3. The Assistant Director,
Mines and Minerals,
Vellore District, Vellore.
4. The Revenue Divisional Officer,
Vellore Division,
Vellore.
5. The Revenue Divisional Officer,
Tiruppathur Division,
Tiruppathur ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 18.02.2020 seeking permission for mining and transport of wind sand from the lands in Machampattu Village S.No.30, New S.No.30/2, Kothur Village, Gudiyatham Taluk, Vellore District.

For petitioner ... Mr.S.V.Karthikeyan

For respondents ... Mr.Akil Akbar Ali
Government Advocate.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation, dated 18.02.2020 seeking permission for mining and transporting river sand from the lands in Machampattu Village S.No.30, New S.No.30/2, Kothur Village, Gudiyatham Taluk, Vellore District and pass final orders, within a time frame to be fixed by this Court.

2. The case of the petitioner is that they are a Temple and renovation work is going on in the said Temple. According to them, river sand is available within the Temple premises and they have sought for permission from the respondents 1 and 2 on 18.02.2020 seeking to transport the said river sand for utilising the same in the renovation work of the petitioner's Temple. It is their case that till date, the said representation has not been considered by the respondents. In such circumstances, this writ petition has been filed.

3. Heard Mr.S.V. Karthikeyan, learned counsel for the petitioner and Mr.Akil Akbar Ali, learned Government Advocate accepts notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondents, if the petitioner's representation dated 18.02.2020 seeking permission for mining and transporting the river sand from the petitioner's land for the purpose of renovating the petitioner's Temple is considered by the respondents on merits and in accordance with law.

5. For the foregoing reasons, this Court directs the first and third respondents to consider the petitioner's representation, dated 18.02.2020 seeking permission for mining and transporting the river sand from the lands in Machampattu Village in S.No.30, New S.No.30/2, Kothur Village, Gudiyatham Taluk, Vellore District and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the aforesaid direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi2

To

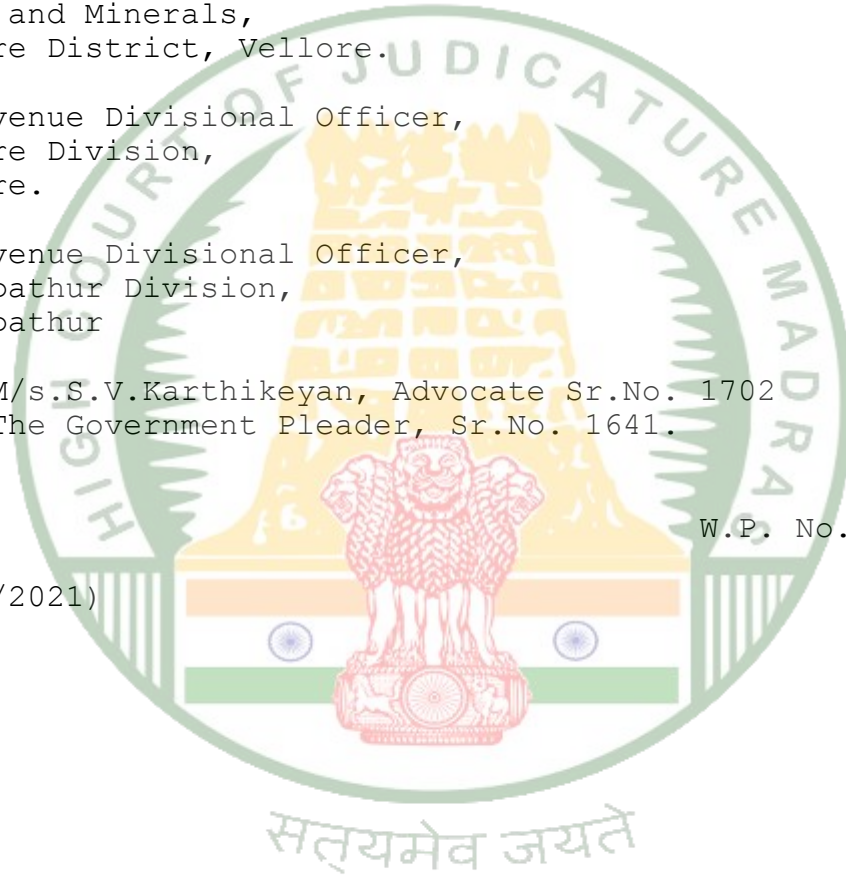
1. The District Collector,
Vellore District, Vellore.
2. The District Collector,
Tirupathur District, Tiruppathur.
3. The Assistant Director,
Mines and Minerals,
Vellore District, Vellore.
4. The Revenue Divisional Officer,
Vellore Division,
Vellore.
5. The Revenue Divisional Officer,
Tiruppathur Division,
Tiruppathur

+1 cc to M/s.S.V.Karthikeyan, Advocate Sr.No. 1702

+1 cc to The Government Pleader, Sr.No. 1641.

W.P. No.459 of 2021

CA(CO)
RMP(05/02/2021)



WEB COPY